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**By Email (Karen\_folan@mad.uscourts.gov)**

Judge Allison D. Burroughs  
United States District Court for the District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Re: *Astellas Institute for Regenerative Medicine, et al. v. ImStem Biotechnology, Inc., et al.*, C.A. No. 1:17-12239-ADB

Dear Judge Burroughs:

I write per my letter of last Friday (August 14, 2020), which was itself a follow-up to the parties' pre-trial conference of August 12, 2020 during which the Court denied Defendants' Motion to Keep Trial Open to Facilitate Witness Testimony (ECF No. 211) and we asked for time to consult with our clients. We have now had a chance to speak with our clients.

Given the Court's statements about not wanting an indefinite continuance of trial, Defendants respectfully request that the bench trial in this matter be continued from September 14, 2020 to November, preferably November 30, 2020. Defendants believe a brief delay in the start of this bench trial will give them a chance to find a solution to the problems set forth in their Motion (either through the lifting of travel restriction or some other mechanism) and enable Drs. Xu and Men to testify.

During the pre-trial conference, the Court indicated a willingness to hold a further status conference. We are available at the Court's convenience.

Respectfully submitted,

/s/ Timothy R. Shannon

Timothy R. Shannon

TRS/lep

cc: Charles H. Sanders ([charles.sanders@lw.com](mailto:charles.sanders@lw.com))  
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